UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GINA D.,	No. 2:20-CV-0434-JTR
Plaintiff,	
v.	ORDER DENYING PLAINTIFF'S MOTION TO DISMISS WITH LEAVE TO RENEW
KILOLO KIJAKAZI, ACTING COMMISSIONER OF SOCIAL SECURITY,[1]	
Defendant.	

BEFORE THE COURT is Plaintiff's motion for dismissal. ECF No. 15. Attorney Chad L. Hatfield represents Gina D. (Plaintiff); Special Assistant United States Attorney Benjamin J. Groebner represents the Commissioner of Social Security (Defendant). The parties have consented to proceed before a magistrate judge. ECF No. 6.

Plaintiff has filed a one-sentence motion to dismiss. ECF No. 15. Despite two attempts to Plaintiff's counsel's office, neither of which have been returned, the Court is unable to ascertain the circumstances of the dismissal request or whether the request is for a dismissal with or without prejudice. Defendant did file a response indicating no objection to the motion. ECF No. 16.

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[1]Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS - 1

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Based on the foregoing, **IT IS HEREBY ORDERED** Plaintiff' motion for dismissal, **ECF No. 15**, is **DENIED WITH LEAVE TO RENEW**.

Within seven (7) days from the date of this order Plaintiff's counsel shall file a renewed motion to dismiss which shall include information regarding the reason for the dismissal and whether the request is for a dismissal with or without prejudice.

IT IS SO ORDERED. The District Court Executive is directed to file this Order and provide copies to counsel.

DATED September 14, 2021.

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JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE

ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS - 2